

LETTER CODES

For Identifying
Periods of Exclud-

Periods of Excludable-Dolay Per 18 U.S.C. 3161(h)

A. Examination or hearing for mental or physical incapacity (18 U.S.C. 4244).



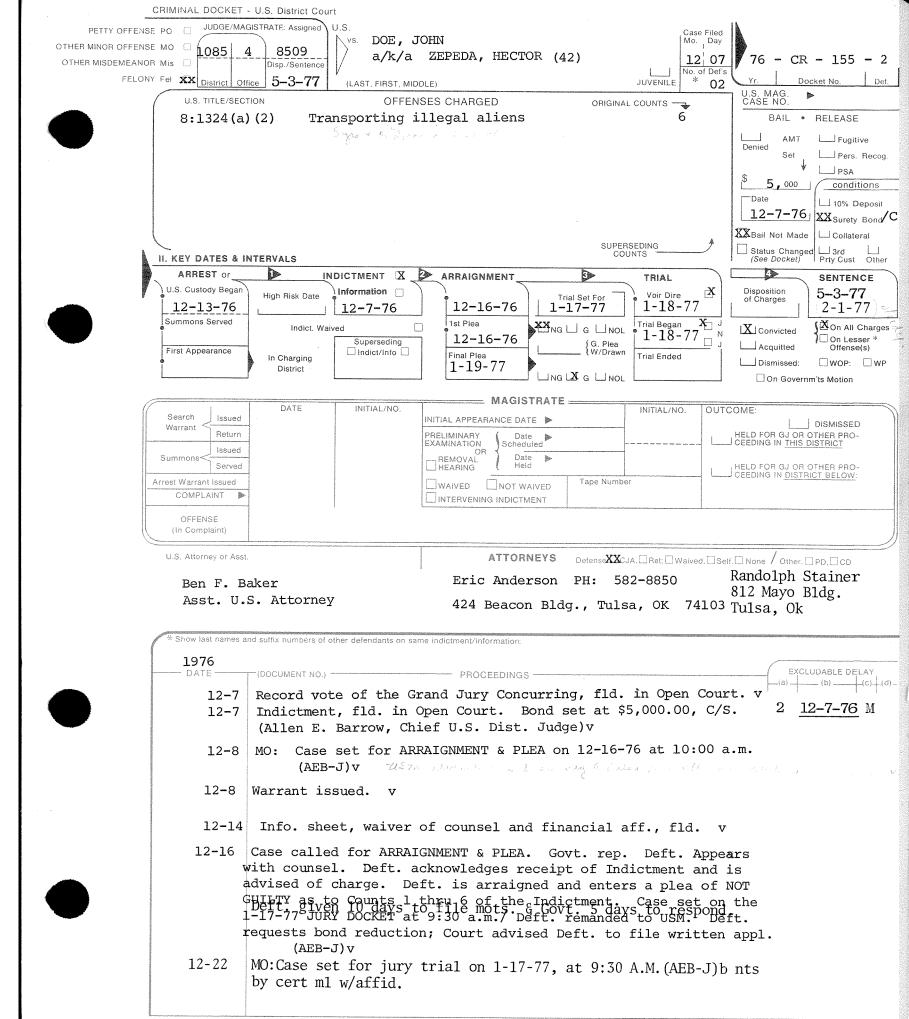
- B. NARA Examination (28 U.S.C. 2902).
- C. State or Federal trials on other charges.
- D. Interiocutor Appeals.
- E. Hearings on pretrial motions
- F. Transfers from other districts (per F.R.Cr.P. Rules 20, 21 & 40).



- G. Defendant Motion is actually under advisement. Period of up to 30 days is excludable per 3161(h) (1) (G).
- H. Miscellaneous Proceedings: Probation or Parole revocation, Deportation, Extradition.
- Prosecution de ferred by mutual agreement.
- M. Unavailability of defendant or essential witness.
 N. Period of men
- tal or physical incompetence of defendant to stand trial.
- O. Period of NARA Commitment or Treatment.
- P. Superseding indictment and/or new charges.
- Defendant awaiting trial of Co-defendant when no severance has been granted.



- T Continuances Granted per 3161(h) (8) (i.e. ends of justice or complexity of case outweighs defendants interestics
- Time between guilty plea an plea with drawal
- W. Grand Jury in dictment extended per 3161 (h).



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Examination of hearing for mental or physical incapacity (18 U.S.C. 4244).



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- C. Time between guilty plea and plea with-drawal
- W. Grand Jury in dictment extended per 3161 (b).

Yr.	Docket No.	De

	Y	<u>'</u>	r.	Docket N	10.	Def.
DATE 1977	PROCEEDINGS (continued)	V. I	EXCI	LUDABLE	DEI	LAY
1977	(Document No.)	(a)	 	(b)	(c)	(d)
2-1-77	Judgment & Commitment, filed & entered.(AEB-J)b					
2-1	Two c/c of J&C to USM. b					
2-14	J&C, ret. & filed: deft. delivered to USMC, Springfie	PTG.	þ			
	Mo. on 2-7-77. g		'			
4-20	MO: Case set for definitive sentencing on 5-3-77, at 9:45 A.M.					
	(AEB-J)b nts mld					
5-3	Case called for definitive sentencing. Deft. present & rep.					
	Govt. rep. Deft. & co. asked if they have anything to say before sentence is pronounced:					
	Ct. 1 - Atty. Gen Three (3) years under 4205(a).					
	Cts-2,3,4,5 & 6 - Impos. of sentence is suspended &					
	deft. is placed on probation for period of three (3) years as					
	to each count; Cts. 3,4,5 & 6 to run concurrently w/prob. im-					
	posed in Ct. 2. Ct. recommends institution in Calif. near deft's family. Deft. remanded to USM. (AEB-J)b					
5-3-	Judgment & Commitment, filed & entered. (AEB-J)b					
5-3	Two c/c of J & C to USM. b					
5-3	Two c/c of J & C to probation, b					
6-10	J&C, ret. & filed: deft. Zapeda delivered to USM at					
	Los Angeles, Ca on 6-2-77, and to F.C.I., Terminal Island on 6-2-77. g					
7-8-77						
/-0-//	Order denying motion (ltr.) for modification of sentential filed. cpy to Zapeda	HICE	٠,			
8-10-77		s				
	of both Eric E. Anderson & Randolph P. Stainer in Case					
	No. 76-CR-155 be promptly processed and checks issued					
	to reimburse them for their efforts on behalf of the	o A	D			
	Deft., Hector Zepeda. IT IS SO ORDERED. (AEB-J)ho					

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DATE	PROCEEDINGS (continued)	V. (a)	EXCLUDAE	LE DELAY
	(Document No.)	(4)	(0)	(c) (d)
		<u>.</u>		
		·		
·				
57		Interval (per Section II)	Start Date End Date	Ltr. Total Code Days

A.	o.	100
(R	ev.	7-70

UNITED STATES MAGISTRATE

UNITED STATES MAGISTRATE	Section 1	E
MORTHERN DISTRICT OF OKLAHOMA 76-CR-155		^

RECOR	D OF PROCEEDINGS IN CRIMINAL	CASES	′0
		Jack C. Silver, C. S. DISTRICT C. (Address)	Clork
EFORE CHARLES F. BURNS	MTAMI	OKT, AHOMA OKT, AHOMA	OLIN- OLIN-
(Name of magist		(Address)	ONI
MAGISTRATE'S	Complaint filed on November	2119 76 . by Oscar E. Coor	on In
OCKET Nol_ CASE No. 76-37M	Official title Border Patrol	Agent , charging	violation of
THE UNITED STATES		8, Section 1321(a) (on No	
vs.	19 76 . at Miami, Okla.	in the Miami, Okla	
, 2-		district of _Oklahoma	
Hector Manuel DIAZ - Guzman	as follows: did, knowing th	at aliens Nicolas TEJADA-	-Martines.
john DOE AKA Hector Zepeda mar	PAT <u>INO-Delgado, AriulfoCALIE</u>	-,Ricardo AntonioPLATER-A	guilar, -Ro
	MANDEY_Rates and Transactor to	willow Dowle state there :	11
the	reaction of taw, and knowing o	r naving reasonable groun	ids to beli
pri	Lation of law and knowing of said aliense entry into the br. to the aforesaid date diasport and movemental trickers.	d transport and move and	attempt to
suc	k violation, a felony in vio	lation of Title 8. United	Merance or
VARRANTS OR SUMMONS ISSUED: Sec	etion $1324 (a)(2)$.	ama T TAT AG	· ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~
Date November 24, 1976 Warran		(Name of	defendan+)
o (name and title of officer)Osca	r E. Cooper, Jr., Border Pat	zol Agent	
Substance of returnarrested_at	Miami, Oklahoma, Nover 24,	1976	
The state of the s	± /G		
Date Warran o (name and title of officer)	t/Summons for	(Name of	defendant)
Substance of return			
Date November 24, 1976 Arreste	d by Border Patrol Agent	without warrant.	ing officer)
for United State	None (Name)	(Address)	
Appearances for accused Me	rle K. Garrette		
Tor accused 322	rle K. Garrette (Name)	(Address)	
Proceedings taken Follows on so			
(Here insert with date	s, when appropriate, a seriatim account of essentis	l steps taken at hearing such as "complain	t prepared,"
if arrest is without warrant: "defendant informed	of complaint and right to retain counsel and pre	eliminary hearing": "preliminary examination	n waived."
if that is the fact; any adjournments taken, etc.			
Outcome Bound over to U.S. Di	strict Court for preliminary	hearing, Tulsa, Oklahoma	
	cash or s	urety bond	
Bail fixed November 24, 19 76	_ Amount, \$5,000.00 Bonded	, 19	
deposited by (name)	Address		71
ransmitted to clerk of district court	A 11	, 19 Lo	r] by suret
(name)	Address		

(name) _____ Address _____ justified by affidavit dated ______, 19 ____, [or] committed to U.S. MARSHALL, November 26,

on _____, 19 ____

SUBPOENAS FOR WITNESSES ISSUED:	.		# ⁶ .	•
at request of (name of party)				
Substance of return				
10 for (name of mitness	`		THE RESERVE AND THE THE PARTY SHAPE WHEN THE STATE AND THE PARTY SHAPE WHEN	
at request of (name of party)				
Substance of return		tions were price own many word street dank mine dank which stated street from owner owner o		
, 19, for (name of witness)			
at request of (name of party)Substance of return				
PRELIMINARY EXAMINATION:	United States	(Name)		
(Not to be used if case was disposed of at first presentation)	Officed States	(Address)		
	Accused	(Name)		
Date Appearances for		(Address)		
WITNESSES FOR UNITED STATES: (List names and addresse	_	FOR ACCUSED:		
Witness payroll containing names certified to Proceedings taken	to United States		nt	, 19
Outcome Bound over to District Court for Bail fixed Lov. 24 , 19 76 Amount, \$5 deposited by (name)	Preliminary He	aring Tulsa Okla Sure ty bond	homa, Nov. 26	5, 1976 , by cash
transmitted to clerk of district court	Address .		the state and the same was about the same and the same and	10
[or] by surety (names)	Address			, 17
and	Address			
who justified by affidavit, 19	Committed	to		
on, 19				
Certified to be a correct transcript.	,			
Made this30th day of November				
Transmitted to Clerk of United States District Cou	irt for theNo	orthern		
district ofOklahoma	Lar	ber 30 , 1	914_ June	
			United States I	Magistrate.

Case #76-37M

Hector Manuel DIAZ-Guzman November 24, 1976

Proceedings taken: November 24, 1976

Defendant, Hector Manuel DIAZ-Guzman present in open court without counsel. Defendant stated that he does not speak English or understand it. He agreed to have Oscar E. Cooper, Jr. act as interpreter without objection. Warrant served on defendant. Complaint read to defendant and defendant stated he understood the charges. Defendant stated that he is thirty-seven (37) years old, born at Puerto Rico, Voyamon P.R., July 10, 1939. Defendant advised of his rights and right to have counsel at all stages of proceedings. Defendant stated he did not have funds to employ counsel and wished that counsel be appointed for him at government expense. Bond of defendant fixed at \$5,000.00 cash or surety. In default of bond, defendant remanded to custody of the U.S. Marshall and further arraignment passed to November 26, 1976 at 10:00a.m. Temporary committment issued November 24, 1976, Final committment issued November 26, 1976

> Charles F. Burns U. S. Magistrate

November 24, 1976

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Case #76-37M Hector Manuel DIAZ-Guzman November 26, 1976

Proceedings Taken: November 26, 1976

Defendant present in open court with court appointed counsel,
Merle K. Garrette, and Eva Fluesmeier, appointed interpreter by the
Court. Attorney for defendant requested a continuence for the
purpose of contacting the U.S. Attorney's Office. Denied for the
following reasons:

(1) Hardship on U.S. Marshall's office in bringing the
Defendant before this Court on November 30, 1976

(1) Hardship on U.S. Marshall's office in bringing the Defendant before this Court on November 30, 1976 by reason of the jury term at Tulsa. Court set preliminary hearing at Tulsa, Okla. before a U.S. Magistrate on Friday, Dec. 3, 1976 at 2:00p.m.

The Court stated that by reason of the Speedy Trial Act 1974 that the preliminary hearing be waived or set in motion within ten (10) days this matter was began before me, Hovember 24, 1976. The Court cannot go beyond period of ten days of setting this down for preliminary hearing and the defendant can set in motion whatever action or investigation he desires at Tulsa.

Application of defendant to have preliminary hearing held in Miami, Oklahoma denied with exception allowed.

Application of the defendant to reduce bond of \$5,000.00 is denied.

Application of the defendant for a transcript be prepared for the use of the defendant granted.

The Court appointed Counsel for the defendant and in interpreter by reason of the fact he is indigent, a financial affidavit having been executed by him.

Defendant remanded to custody of the U.S. Marshall for further proceedings at Tulsa, Oklahoma.

Charles F. Burns U.S. Magistrate

November 26, 1976

• . Form AO 104

Before

UNITED STATES COMMISSIONER

NORTHERN DISTRICT OF OKLAHOMA

RECORD OF PROCEEDINGS—MISCELLANEOUS

Charles F. Burns
(Name of Commissioner)

Miami, Oklahoma

(Address)

proceedings, if not included in Form AO 100, etc. A separase, its nature, and the date and nature of each step take Commissioner's Docket No, Case No76-37-M-A	
United States of America	Bail for Material Witnesses
vs.	(Nature of proceeding)
Hector Manuel DIAZ-Guzman and John Doe AKA Hector ZEFEDA	
	ERNANDEZ-Batre, Francisco AGUILAR-Perla, ar, German PATINO-Delgado, Ulises Areolfo CALLE,
and Nicolas TEJEDA-Martinez,	present in Open Court without Counsel, Court
49 16	nterpreter for the purpose of interpreting the swers of the material witnesses. Court advised
the above named material with	esses of their right to Counsel at the hearing.
Each of the material witnesse	s executed a Waiver of Counsel which is filed in
open Court. Affidavit for Ba	il for material Witnesses filed in Open Court.
· ·	witnesses under Bond in the amount of \$1,000.00
An Order issued the aforesaid	witnesses under Bond in the amount of \$1,000.00

DATE	
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	a correct transcript of Docket Entries
<u> </u>	United States Commissioner